

12-31-03

Attorney's Docket No. PP16021.002 (35784/213736)

PATENT

#6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Hageman <i>et al.</i>	Confirmation No.	2257
Appl. No.:	09/944,930	Group Art Unit:	Not yet assigned
Filed:	August 31, 2001	Examiner:	Not yet assigned
For:	STABILIZED FGF FORMULATIONS CONTAINING REDUCING AGENTS		

December 31, 2003

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.181 TO WITHDRAW HOLDING OF ABANDONMENT  
IN ACCORDANCE WITH MPEP §711.03(C) AND 1156 O.G. 53**

Sir:

As set forth in MPEP § 711.03(c) and 1156 O.G. 53, Applicants hereby petition to have the holding of abandonment of the above-identified application withdrawn. The application was held to be abandoned for failure to respond to the Notice to File Missing Parts mailed October 18, 2001. The following materials are submitted in support of Applicants' petition:

1. a copy of the Notice of Abandonment (1 page) mailed December 17, 2003;
2. copies of all papers submitted with the Response to Notice to File Missing Parts of Application that was filed with the United States Patent and Trademark Office by Applicants' representative on December 18, 2001, which copies include:
  - a. a copy of the cover page (1 page);
  - b. a copy of the Notice to File Missing Parts Formalities Letter Part 2 (2 pages);
  - c. a copy of the Declaration Cover Sheet (1 page);
  - d. a copy of the Declaration (2 pages);
  - e. a copy of check in the amount of \$130.00;
  - f. copies of the Substitute Drawings (7 pages);
  - g. a copy of the Information Disclosure Statement (1 page);
  - h. a copy of the Form 1449 (1 page); and
  - i. copies of 16 references filed with the IDS and Form 1449; and

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In re: Hageman *et al.*  
Appl. No.: 09/944,930  
Filing Date: August 31, 2001  
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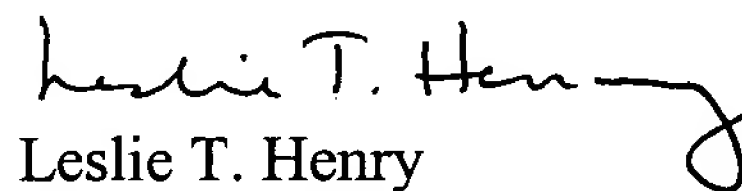
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3. a copy of our stamped return receipt postcard, showing that the Patent Office received the aforementioned documents on January 24, 2002.

In view of the foregoing remarks and the enclosed evidence indicating that the Response to the Notice to File Missing Parts was timely filed by Applicants' representative on December 18, 2001, and was received by the United States Patent and Trademark Office on January 24, 2002, Applicants respectfully request that the instant petition be granted and that the holding of abandonment of the application be withdrawn.

It is believed that the present petition is treated as a petition under 37 C.F.R. 1.181, and that no fee is applicable. However, if any fee is due, please charge the fee to our deposit account No. 16-0605.

Respectfully submitted,

  
Leslie T. Henry  
Registration No. 45,714

CUSTOMER NO. 00826  
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"Express Mail" mailing label number EV 390050955 US  
Date of Deposit December 31, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Lynda-Jo Pixley

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/944,930	08/31/2001	Robert V. Hageman	PP16021.002 (35784/213736)

CONFIRMATION NO. 2257

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011512325\*

00826  
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Date Mailed: 12/17/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/18/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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